<u>REMARKS</u>

The Office Action mailed March 20, 2007, has been carefully reviewed and the foregoing amendment has been made in response thereto. Claims 1-22 are pending in the application.

The rejection of claims 1-22 under 35 USC 102(e) as being anticipated by Kabie is respectfully traversed. The present invention uses network transport management methods which are modified and adapted for a system that provides compositional services based on virtual processing elements gathered into sets by an aggregator that links the elements together in a network traffic path. In contrast, Kabie teaches bandwidth management in multiservice networks wherein the multiservices referred to are different kinds of network transport, e.g., ATM, FR, IP, and MPLS. Kabie does not disclose any compositional services composed of data processing functions assembled and linked according to service requests.

Regarding claim 1, the recited method includes interconnecting a plurality of physical processing components within the network for providing a plurality of virtual processing elements that are accessible by respective network traffic paths to perform a respective processing operation. A pool of the virtual processing elements is represented using a resource aggregator, each virtual processing element having a capacity allocable according to a respective communication transfer rate based on a sustainable data flow rate to complete respective data processing transactions. A reservation request for utilizing specified processing resources is received. The resource aggregator exclusively reserves at least one virtual processing element for providing capacity to satisfy the reservation request in response to the respective communication transfer rate. Use of a respective network traffic path is then allocated to service the reservation request in response to the identified virtual processing element.

Thus, as even more clearly recited after the current amendment, each virtual processing element in claim 1 performs a respective processing operation and has a

capacity allocable according to a respective communication transfer rate based on a sustainable data flow rate to complete respective data processing transactions. Kabie fails to disclose these limitations. The "services" provided in Kabie relate to network transport. The term "application" as used in Kabie refers to the transport methods of ATM, FR, MPLS, and IP (col. 4, lines 22-25). The portions of Kabie cited in the rejection show transport management for the different types of transport and show how routing of traffic may depend on class of service or quality of service. These are not equivalent to the assemblage of virtual processing elements from a pool as recited in claim 1. Therefore, claim 1 is allowable over Kabie.

Claim 2 specifies that there are multiple component types for performing respective processing operations. Thus, the virtual processing elements reserved by the resource aggregator in response to a reservation request can perform more than one type of processing operation. Since Kabie fails to show either processing operations that provide data processing transactions or the assemblage of different types of processing operations to compose a service, claim 2 is allowable over Kabie.

Claim 3 recites that composite resource sets are combined and represented in the pool (i.e., prior to a reservation request). Kabie fails to teach either the composite resource sets comprised of combined processing operations or the pooling of such sets prior to a user request. Claim 4 recites that predetermined interactions integrate the processing operations into a service function. Kabie lacks any disclosure of a service function being assembled from processing operations that provide data processing transactions. Therefore, claims 3 and 4 are likewise allowable.

Claim 5 further provide that the processing operations include a data manipulation function and a storage function. The transport management functions of Kabie as cited in the rejection fail to teach the data processing transactions of the present invention in general and the data manipulation and storage functions of claim 5 in particular. Thus, claim5 is allowable over Kabie.

Dependent claims 6-9 recite additional features not present in Kabie and all are

allowable for the same reasons as discussed above.

Regarding claim 10 and its dependent claims 11-15, the recited construction of service resource sets comprised of a combination of virtual network elements is neither shown nor suggested by Kabie. Thus, claims 10-15 are likewise allowable.

Claims 16-22 recite some of the same limitations as discussed above and are all allowable for the same reasons.

In view of the foregoing amendment and remarks, claims 1-22 are now in condition for allowance. Favorable action is respectfully solicited.

Respectfully submitted,

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